

Express Mail No.:
EV 283743548 US

PATENT
Docket No. 505132000100
Client Ref. B34589US

DECLARATION FOR UTILITY PATENT APPLICATION

AS A BELOW-NAMED INVENTOR, We HEREBY DECLARE THAT:

Our residence, post office address, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: **IMPLANTABLE SUBSTRATES FOR THE HEALING AND PROTECTION OF CONNECTING TISSUE, PREFERABLY CARTILAGE**, the specification of which is attached hereto unless the following box is checked:

☒ was filed on November 22, 2000 as United States Application Serial No. 09/718,801

We hereby state that I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
19957388.3	GERMANY	24/11/1999 /	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
*	


We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose information which is material to

patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

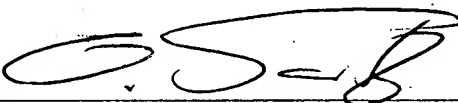
Application Serial No.	Filing Date	Status
*		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


26.2.01
Date


Name: MICHAEL SITTINGER
Residence: Karl Marx-Straße 147 d, D-15831 Großziethen, GERMANY
Citizenship: Germany
Post Office Address: Karl Marx-Straße 147 d, D-15831 Großziethen, GERMANY

15.03.01
Date


Name: OLAF SCHULTZ
Residence: Steinstraße 10 D-12277 Berlin, GERMANY
Citizenship: Germany
Post Office Address: Steinstraße 10 D-12277 Berlin, GERMANY

27.02.01
Date


Name: GERD-RÜDIGER BURMESTER
Residence: Tullerweg 7, D-12277 Berlin, GERMANY
Citizenship: Germany
Post Office Address: Tullerweg 7, D-12277 Berlin, GERMANY

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SEPTEMBER 13, 2001

PTAS

MORRISON & FOERSTER LLP
MICHAEL R. WARD
425 MARKET STREET
SAN FRANCISCO, CA 94105-2482



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MORRISON & FOERSTER

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/05/2001

REEL/FRAME: 011947/0789
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SITTINGER, MICHAEL

DOC DATE: 02/26/2001

ASSIGNOR:

SCHULTZ, OLAF

DOC DATE: 03/15/2001

ASSIGNOR:

BURMESTER, GERD-RUDIGER

DOC DATE: 02/27/2001

ASSIGNEE:

TRANSTISSUE TECHNOLOGIES GMBH
TUCHOLSKYSTRASSE 2
CHARITE, 10117 BERLIN
FED REP
GERMANY

SERIAL NUMBER: 09718801

PATENT NUMBER:

FILING DATE: 11/22/2000

ISSUE DATE:

011947/0789 PAGE 2

MARCUS KIRK, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

07-10-2001



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U.S. DEPARTMENT OF COMMERCE

IEET

Patent and Trademark Office
Docket No. 505132000100

To the Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

MICHAEL SITTINGER
OLAF SCHULTZ
GERD-RUDIGER BURMESTER

7-501

- ☒ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☐ Corporation-State ☐ Other

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other:

Execution Date: February 26, 2001; March 15, 2001; and February 27, 2001, respectively

2. Name and address of receiving party(ies):

Name: TransTissue Technologies GmbH
Internal Address: TucholskystraÙe 2 - Charité,
10117 BERLINAdditional name(s) & address(es) attached? ☐ Yes ☒ No

JUL - 5 2001

4. Application number(s) or patent number(s): 09/718,801 filed November 22, 2000

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)
09/718,801

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Michael R. Ward
Morrison & Foerster LLP
425 Market Street
San Francisco, California 94105-2482

6. Total number of applications and patents involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account, referencing
Attorney Docket 506112000500

8. Deposit account number: 03-1952

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.21 that may be required by this paper, or to credit any overpayment to Deposit Account No. 03-1952.

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Name: Michael R. Ward
Registration No: (38,651)Michael R. Ward
Signature6/28/01
Date

07/09/2001 DBYRNE 00000264 09718801 Total number of pages comprising cover sheet, attachments and document: 3

01 FC-581

40.00 DP

Mail documents to be recorded with required cover sheet information to:

U.S. Patent and Trademark Office
Office of Public Records
Box Assignments
Crystal Gateway 4, Room 335
Washington, D.C. 20231

ASSIGNMENT JOINT

THIS ASSIGNMENT, by Michael SITTINGER, Olaf SCHULTZ and Gerd-Rudiger BURMESTER, (hereinafter referred to as the assignors), residing at Karl Marx-Straße 147 d, D-15831 Großziethen, GERMANY, Steinstraße 10 D-12277 Berlin, GERMANY, and Tullerweg 7, D-12277 Berlin, GERMANY, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in **IMPLANTABLE SUBSTRATES FOR THE HEALING AND PROTECTION OF CONNECTING TISSUE, PREFERABLY CARTILAGE**, set forth in an application for letters patent of the united states, having an oath or declaration executed on even date herewith;] bearing serial no. 09/718,801 and filed on November 22, 2000; and

WHEREAS, TransTissue Technologies GmbH, a corporation duly organized under and pursuant to the laws of Germany, and having its principal place of business at Tucholskysstraße 2 - Charité, 10117 BERLIN, (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

26.2.01
Date MICHAEL SITTINGER

15.03.01
Date OLAF SCHULTZ

27.02.01
Date GERD-RUDIGER BURMESTER

Express Mail No.:
EV 283743548 US

Patent
384466-605005

**POWER OF ATTORNEY & REVOCATION OF PRIOR POWERS
By Assignee**

TransTissue Technologies GmbH, assignees of the application for United States Letters Patent for:

**IMPLANTABLE SUBSTRATES FOR THE HEALING AND PROTECTION OF CONNECTING
TISSUE, PREFERABLY CARTILAGE**
by Michael Sittinger, Olaf Schultz and Gerd-Rüdiger Burmester

the specification of which:

☐ is filed herewith, OR

☒ was filed on November 22, 2000, having U.S. Patent Application Serial No. 09/718,801,

does hereby revoke all powers of attorney previously given and appoints as its attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office, and in countries other than the United States, and to do all things necessary or appropriate therefor before any competent International Authorities in connection with any international patent application(s) corresponding to the above-identified application, all of the registered practitioners identified by Customer Number 34026:



34026

PATENT TRADEMARK OFFICE

JONES DAY
555 W. Fifth Street
Suite 4800
Los Angeles, CA 90013-1025
(213)489-3939

Please send all correspondence to the attention of **David A. Randall**, at the above Customer Number, and direct all telephone calls to **David A. Randall**.

I, the undersigned, declare that I have reviewed copies of the documentary evidence establishing chain of title to the patent application identified above from the inventor(s) to the assignee(s), which:

☐ is filed for recordation herewith; or

☒ was recorded at Reel 011947, Frame 0789; or

☐ has been sent for recordation under separate cover, copy attached herewith.

To the best of the undersigned's knowledge and belief, title is in the assignee(s) identified above. Furthermore, the undersigned is empowered to sign this document on behalf of the assignee(s).

Full Name of Assignee: TransTissue Technologies GmbH	
Post Office Address: Tucholskystraße 2 - Charité, 10117 BERLIN, GERMANY	
Signature of Declarant or Assignee:	Date: 04.06.03
Full Name of Declarant: RAINER BURMESTER	
If Other Than Assignee: RAINER BURMESTER	
Title of Declarant: CTO	Tel. +49 (0) 30 450-57 81 83
Address of Declarant: Tucholskystraße 2 - Charité, 10117 BERLIN, GERMANY	